

**CLEMENCY
PROTEST
IS FILED BY
DORSEY**

Letter Written in Reply
to

Query From Pardon
Board.

Outline to Brief to Be Pre- sented by Frank's Attor- neys.

Following the Custom of the Board of Pardons to Communicate with the Solicitor General in Criminal Cases coming before it, the State Prison Commission communicated with Solicitor General Hugh Dorsey several days ago, notifying him of the filing of the Application for Commutation to life imprisonment in the Frank Case and asking him if he had anything to say on the Subject.

Solicitor Dorsey has replied to Chairman R. E. Davison, of the Board, setting forth at length his Reasons for entering protest against the Commutation of the Death Sentence. Chairman Davison was seen by several Newspaper Representatives and asked about the letter, to each of whom he replied that it belonged to the Record Files of the Case, and it could not be given out by him without the consent of the whole Board. He admitted that he had received the letter and that in it the Solicitor

General had set forth his Reasons why, in his Opinion, the Board should not Commute the Sentence.

It is understood that the Solicitor's letter makes a complete Brief of the Case, showing its progress through the Courts and declaring that if anything is done at all in the way of Executive Clemency, it should be a full pardon, over the action of all the Courts, and not a Commutation of the Sentence.

Solicitor Dorsey Silent.

Solicitor Dorsey returned to Atlanta, on Wednesday afternoon from Washington, where he had represented Mrs. John W. Nelms in the Victor Innes Appeal for Bond Reduction. He would make no Statement regarding the reply to the Prison Board, referring newspaper men to Chairman Davison. It is thought now that the Solicitor General will appear before the Commission, when the Frank Hearing comes up and oppose the Plea for Commutation.

Coincident with the knowledge that Dorsey will oppose the Commutation Plea, it became known Wednesday that some of the biggest lawyers in the State have made Appeals in the doomed man's behalf. A list compiled by Frank contains the names of Ronald Ransome, a son-in-law of Senator Hoke Smith; Marion Smith, a Son of the Senator; Hollins Randolph; Judge Richard B. Russell, member of the Court of Appeals; Judge Andrew Cobb, of Athens; Judge Arthur Powell; Judge Fred Foster, of Madison, Ga.; ex-Congressman William M. Howard; Congressman William Schley Howard; Senator Thomas Hardwick; Hon. M. J. Yeomans, Dawson; Judge Samuel Adams; Jerome Simmons; Thod Hammond; Joe Hill Hall, Macon; A. S. Howard, and Bartow Willingham, Forsyth, Ga.

Brief Nearing Competition.

The Brief to be presented by Frank's Counsel to the Prison Board and the Governor is nearing completion and will be in readiness by Saturday night. It is composed of a minute chronology of the Case from the Date of the Crime's discovery up to the Application for Clemency.

The three basic Reasons for the Appeal are given as, (1) the doubt of Judge Roan, as expressed when he denied the first motion for a new trial several months following the original verdict; (2) the dissenting opinion by Chief Justice Fish and Justice Beck of the Supreme Court; (3) the dissent of Justice Hughes and Justice Holmes, of the United States Supreme Court.

It will be pointed out by Frank's Defense that there is ample Georgia precedent to justify Clemency. The McNaughton Case is offered as a precedent, in which there was but one dissenting voice, that of Judge Atkinson, which culminated not only in Commutation, but full pardon.

The dissenting opinion of Justices Holmes and Hughes of the United States Supreme Court is to be submitted in full to the Prison Body.

Osborne Writes Slaton.

Albert S. Osborne, the handwriting expert employed by the State in the Leo Frank Case, and who declared that it was his belief that the notes had been written at the White Man's Supervision, has written to Governor Slaton saying that he now believes Frank did not aid the Negro.

Osborne's letter comes from New York, his home and is as follows:

"Summarizing the matter, it seems to me that when the illegibility, incoherence, repetition and the uncertain effect of the

whole communication are considered, that it is perfectly clear that James Conley did not have intelligent assistance in writing the Document, and I think the Document in its primary Conception, its penmanship, its arrangement, its appearance, the material used in its construction, its choice of words, its ideas, its grammar, is all consistent and points to the Operation of but one mind, and that the mind of James Conley.”

More than two thousand names were signed to a monster petition sent to Governor Slaton by I. Bermann, a Merchant of Camilla, Ga. Dispatches from Springfield, Ill., bring news that Governor Edward F. Dunne Tuesday signed a Petition asking Governor Slaton to commute Frank’s Sentence to life imprisonment “to the end that Frank, if innocent, may have a fair chance to prove his innocence.”

Plea for Frank.

San Diego, Cal, May 26.—“Neither man nor Beast has ever been known to have been strangled by a Jew,” says a letter written to the Governor of Georgia by the Rev. Alfred K. Glover, Rector of St. James’ Episcopal Church here, and made public today. The letter urges that Leo M. Frank probably is innocent of the murder of Mary Phagan.

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*CLEMENCY IS
URGED FOR LEO*

M. FRANK BY GEORGIA SOCIETY

The Georgia Society of New York, composed of well-known Georgians who are now residents of New York, has, through its Board of Governors, forwarded to the State Prison Commission an Appeal for the Commutation of Leo Frank's Death Sentence.

The letter follows:

"To the Honorable Members of the Prison Commission of the State of Georgia: Through its Board of Governors, the Georgia Society of the State of New York, Incorporated, an Association located in New York City, whose membership is composed exclusively of Georgians, the Descendants of Georgians, and persons who have been educated in Georgia or shall have married a Georgian, wish to present to you this Statement:"

"Now that the Courts have passed upon the Frank Case and the fate of the Leo M. Frank is in the hands of the Prison Commission and the Governor of our State, we deem it fitting to express our Belief that the ends of Justice would be best subserved by the Commutation of the Sentence of Death of Leo M. Frank to that of life imprisonment. We are led to this conclusion as the result of an Examination of the facts of the Case

and the Circumstances of the trial, as revealed in the Public Press, and more particularly in the opinion of Justice Holmes, and in view of a widespread sentiment throughout the United States indicating a general Belief that the evidence against him was by no means conclusive, and that the very horror of the Crime with which he stood charged must necessarily have inflamed the sentiment of the Community against the accused so that the merits of his Defense may not have been adequately weighed by the Jury. Our recommendation is made in the hope that during a Prison sentence, and later when Public sentiment shall have subsided, a careful Examination of the facts may be had to the end that, if guilty, the Prisoner shall justly serve his life sentence, and if guiltless, be given an opportunity to prove his innocence."

"In stating this expression of our views, we beg to assure your honorable Commission that we are actuated by no motive beyond a desire that our State shall show to her Sister States that Georgia Administers an impartial justice, and, while strictly enforcing her laws, gives to every accused man within her borders a due measure of mercy accompanied by the hope that his innocence may be ultimately established."

"Powell Crichton, Secretary: Robert Adamson, P. C. Magnus, President: Ernest El Malcolm, Christed Alexander, A. N. Atkinson, Will Gash, Frederic A. Williams, Vice President."
